

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CLERK'S MINUTES

BEFORE DISTRICT JUDGE JAMES O. BROWNING

CASE No.: 14-2783 JB **DATE:** March 9, 2015

CASE CAPTION: *USA v. Rodella*

CRD: K. Wild **COURT REPORTER:** J. Bean

COURT IN SESSION: 10:08 a.m. **COURT IN RECESS:** 11:34 a.m. = 1:26

TYPE OF PROCEEDING: Motion Hearing (see below)

COURT'S RULING/DISPOSITION: Motion for Release Pending Appeal [195] – **TAKEN UNDER ADVISEMENT**

ORDER CONSISTENT WITH COURT'S RULING TO BE PREPARED BY: Court

ATTORNEYS PRESENT FOR PLAINTIFF(S):

Tara Neda/Jeremy Pena, AUSAs

ATTORNEYS PRESENT FOR DEFENDANT(S):

John Cline (Retained)

Robert Gorence (Retained)

PROCEEDINGS

COURT IN SESSION: **10:08 a.m.**

COURT: Calls case. Counsel enter appearances. Defendant present (in custody).

Court: Suggests motion could be argued by breaking down issue-by-issue.

Mr. Cline: Seems to be concession regarding flight risk, danger to community and delay, so will not argue those. Argues in support of motion regarding substantial question.

10:33 a.m. Ms. Neda: Argues in response in opposition to motion re: same.

10:56 a.m. Mr. Cline: Argues in reply in further support of motion re: same and in support of motion re: exceptional reasons.

11:12 a.m. Ms. Neda: Argues in response in opposition to motion re: same.

11:22 a.m. Mr. Cline: Argues in reply in further support of motion re: same. Addresses Court regarding fine - requests Court stay fine pending appeal with Defendant's second home in ABQ as equity.

11:28 a.m. Ms. Neda: Argues in response in opposition to same.

11:30 a.m. Mr. Cline: Argues in reply in further support of request for same.

11:31 a.m. Court: Takes under advisement – inclined to focus on exceptional circumstances in denying motion.

Court in recess: 11:34 a.m.